

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
**IN RE: METHYL TERTIARY BUTYL ETHER
PRODUCTS LIABILITY LITIGATION**

**Master File C.A. No. 1:00-1898
MDL 1358 (SAS)
M21-88**

-----X
This document relates to the following case:
City of New York v. Amerada Hess Corp., et al.,
04 Civ. 3417

DECLARATION OF INBAL PAZ

I, INBAL PAZ, Esquire, an attorney admitted to practice law in the State of New York and before this Honorable Court herewith depose and state, in support of the Motion in Limine of Defendants to Exclude Evidence and Argument Regarding Alleged Potential Health Effects Associated with MTBE, as follows:

1. Attached hereto as Exhibit A is an excerpt of the transcript of the judicial status conference held in this litigation on October 31, 2007.
2. Attached hereto as Exhibit B is an excerpt from the Plaintiff's Fourth Amended Complaint in which the Plaintiff identifies itself and makes its prayer for relief.
3. Attached hereto as Exhibit C is an excerpt from the Expert Report of Kathleen M. Burns, Ph.D., dated February 6, 2009.
4. Attached hereto as Exhibit D is an excerpt from U.S. EPA Paper No. EPA/360/P/03/001F (March 2005), entitled "Guidelines for Carcinogen Risk Assessment."
5. Attached hereto as Exhibit E is an excerpt from the Expert Report submitted by Douglas B. McGregor, Ph.D., dated March 9, 2009.
6. Attached hereto as Exhibit F is a true copy of the March 31, 1988 Federal Register Notice announcing the entry of a testing consent order for MTBE, specifically

mentioning the risk of groundwater contamination.

7. Attached hereto as Exhibit G is U.S. Environmental Protection Agency Paper No. EPA-822-F-97-008, "Drinking Water Advisory: Consumer Acceptability Advice and Health Effects Analysis on Methyl Tertiary Butyl Ether ("MTBE")," dated December 1997 (Extract).

8. Attached hereto as Exhibit H are excerpts from the New York State Register of September 10, 2003 announcing the proposed rule lowering the maximum contaminant limit ("MCL") for MTBE and of December 24, 2003, adopting the lower MCL.

9. Attached hereto as Exhibit I is an excerpt from the *Toxicological Review and Criteria for Evaluation of Exposure to Methyl Tert-Butyl Ether in Drinking Water*, New York State Department of Health, dated, August 2000.

10. Attached hereto as Exhibit J is an excerpt from the Expert Report submitted by Plaintiff in this action from Donald K. Cohen and Marnie A. Bell, dated February 7, 2009.

11. Attached hereto as Exhibit K is an excerpt from the Expert Report of David W. Hand, Ph.D. submitted by Defendants on March 9, 2009.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: May 11, 2009

/s/ Inbal Paz
INBAL PAZ